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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;  
and ORACLE INTERNATIONAL  
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC. , a Nevada corporation;  
SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**DEFENDANT RIMINI STREET  
INC.'S AMENDED MOTION FOR  
LEAVE TO FILE UNDER SEAL  
EXHIBITS A, C-H, AND J TO THE  
DECLARATION OF RYAN D.  
DYKAL (DKT 499)**

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010 (*See* Dkt. 55, "Protective Order"), Local Rule 10-5(b) and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Defendant Rimini Street, Inc. ("Rimini") respectfully requests that the Court grant leave to file under seal Exhibits A, C-H, and J to the Declaration of Ryan D. Dykal. A public, redacted version of Mr. Dykal's Declaration with all

1 Exhibits was filed on September 18, 2014. (*See* Dkt. 499). Additionally, on September 18, 2014, the  
 2 unredacted version of Declaration Exhibits C-H and J were filed under seal. (*See* Dkt. 500).

3 The Protective Order provides that: “Counsel for any Designating Party may  
 4 designate any Discovery Material as “Confidential Information” and as “Highly Confidential  
 5 Information- Attorneys’ Eyes Only” under the terms of the Protective Order only if such counsel in  
 6 good faith believes that such Discovery Material contains such information and is subject to  
 7 protection under Federal Rule of Civil Procedure 26(c). The designation by any Designating Party of  
 8 any Discovery Material as “Confidential Information” or “Highly Confidential Information-  
 9 Attorneys’ Eyes Only” shall constitute a representation that an attorney for the Designating Party  
 10 reasonably believes there is a valid basis for such designation”. Protective Order at Paragraph 2.

11 The Court has “broad latitude” under Rule 26(c) “to prevent disclosure of materials  
 12 for many types of information, including, but not limited to, trade secrets or other confidential  
 13 research, development, or commercial information.” *Phillips v. Gen. Motors Corp.*, 307 F.3d 1206,  
 14 1211 (9th Cir. 2002) (citations omitted).

15 A description of all Exhibits referenced in this Motion is included below:

- 16 1. Exhibit A consists of excerpts from Oracle’s Supplemental Discovery Responses  
 17 (Interrogatory No. 35) served on February 10, 2012, which have been designated  
 18 “Confidential Information” and “Highly Confidential Information – Attorneys’  
 19 Eyes Only” by Oracle. Oracle’s responses include highly confidential information  
 20 related to Oracle’s license agreements with its customers. Disclosure of this  
 21 information could competitively harm Oracle.
- 22 2. Exhibits C and D consist of excerpts from the Expert Report of Elizabeth Dean,  
 23 which has been designated “Highly Confidential Information- Attorneys’ Eyes  
 24 Only” by Oracle. These exhibits include highly confidential business methods  
 25 used by Rimini and sensitive Oracle financial information. Disclosure of this  
 26 information could competitively harm both Rimini and Oracle.
- 27 3. Exhibits E through H consist of excerpts from the Expert Report of Scott  
 28 Hampton, which has been designated “Highly Confidential Information-

Attorneys' Eyes Only" by Rimini. These exhibits include highly confidential business methods used by Rimini and sensitive Rimini and Oracle financial information. Disclosure of this information could competitively harm both Rimini and Oracle.

4. Exhibit J is a Declaration from CedarCrestone that were produced in the present case and designated "Highly Confidential Information- Attorneys' Eyes Only" by Oracle. The Declaration includes highly confidential information related to business methods used by CedarCrestone. Disclosure of this information could competitively harm CedarCrestone.

Thus, in identifying the Declaration Exhibits which contain Confidential or Highly Confidential material, Rimini and Oracle, as the designating parties, contends that good cause exists for sealing Exhibits A, C-H, and J.

Rimini and Oracle have submitted all other portions of the Case Management Statement as well as all other exhibits to the Declaration of Ryan D. Dykal in Support of the Case Management Statement, for filing in the Court's public files, which would allow public access to the filings except for the documents Rimini and Oracle have designated as Confidential and Highly Confidential. Accordingly, the request to seal is narrowly tailored.

For the foregoing reasons, Rimini respectfully requests that the Court grant leave to file Exhibits A, C-H, and J under seal.

1 DATED: October 20, 2014

SHOOK, HARDY & BACON

2  
3 By: /s/ Ryan D. Dykal

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 20th day of October, 2014, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

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